

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 407 - SB 639

February 28, 2023

SUMMARY OF BILL AS AMENDED (004341): Beginning January 15, 2024, reduces, from three to one, the number of reports that must annually be provided to the Tennessee Wildlife Resources Agency (TWRA) from commercial outfitters regarding nonmotorized vessel activities taking place on Tennessee waters.

Authorizes the Fish and Wildlife Commission (Commission) to establish rules, regulations, and procedures regarding the use of vessel launches or ramps, or other property owned or managed by the TWRA by commercial operations that lease or rent nonmotorized vessels for noncommercial use by the public on the waters of Tennessee.

Clarifies that the Commission's authority, immediately referenced above, does not apply to commercial operations permitted by the Department of Environment and Conservation (TDEC), pursuant to commercial use authorizations in state parks or state natural areas.

Establishes that the proprietary information of outfitters who lease or rent nonmotorized vessels for noncommercial use is confidential and not open for public inspection. Such information is still accessible by certain law enforcement, judicial, and government agencies for official functions or when the outfitter expressly authorizes the release of such information. Repeals the provisions regarding proprietary information on July 1, 2033.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 69-9-227(a)(1), nonmotorized vessels include canoes, kayaks, stand-up paddle boards, tubes, and any other vessels powered only by their occupants and propelled by manual methods, including, but not limited to paddle and oars.
- Currently, commercial outfitters are required to report certain data to the TWRA on May 1, October 1, and December 1 of each year.
- Based on information provided by the TWRA, reducing the reporting requirements of such commercial outfitters will have no significant impact on the operations of the agency.
- The specified information is currently held by the TWRA.

HB 407 - SB 639

- Based on information provided by the TWRA, there is no impact to the agency to make such information confidential.
- Tennessee Code Annotated § 69-9-227(b)(1) authorizes the Commission to establish rules, regulations, permits, and procedures regulating all aspects of commercial operations that lease or rent nonmotorized vessels for noncommercial use by the public on the waters of Tennessee.
- Expanding this authority to include the use of vessel launches or ramps, or other property owned or managed by the TWRA by commercial operations that lease or rent nonmotorized vessels will not impact total permit issuances and therefore will not significantly increase state revenue.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jb